

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Howard L. Porterfield Jr.
Janet S. Porterfield
Debtor(s)

Bankruptcy Case No.: 19-11037-TPA
Per November 19, 2019 Proceeding
Chapter: 13
Docket No.: 20 - 8
Concil. Conf.: 5/5/20 at 02:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated October 15, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on 5/5/20 at 02:00 PM, in Bankruptcy Courtroom, U.S. Courthouse, 17 South Park Row, Erie, PA 16501.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: November 21, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 6
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Howard L. Porterfield, Jr.
 Janet S. Porterfield
 Debtors

Case No. 19-11037-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: vson
 Form ID: 149

Page 1 of 3
 Total Noticed: 46

Date Rcvd: Nov 21, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 23, 2019.

db/jdb +Howard L. Porterfield, Jr., Janet S. Porterfield, 13 Williams Drive,
 West Middlesex, PA 16159-2543
 cr +Bayview Loan Servicing, LLC, ALDRIDGE PITE, LLP, 4375 Jutland Drive, Suite 200,
 P.O. Box 17933, San Diego, CA 92177-7921
 15139500 +Barclays Bank Delaware, Attn: Correspondence, Po Box 8801, Wilmington, DE 19899-8801
 15139504 +Chase Card Services, Attn: Bankruptcy, Po Box 15298, Wilmington, DE 19850-5298
 15139505 Citibank North America, Citibank SD MC 425, 5800 South Corp Place, Sioux Falls, SD 57108
 15139506 +Citibank/Best Buy, Attn: Bankruptcy, Po Box 790441, St. Louis, MO 63179-0441
 15139507 +Citibank/The Home Depot, Attn: Recovery/Centralized Bankruptcy, Po Box 790034,
 St Louis, MO 63179-0034
 15139516 +Department Store National Bank/Macy's, Attn: Bankruptcy, 9111 Duke Boulevard,
 Mason, OH 45040-8999
 15139518 +EdFinancial Services, Attn: Bankruptcy, Po Box 36008, Knoxville, TN 37930-6008
 15152249 +JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A.,
 c/o Robertson, Anschutz & Schneid, P.L., 6409 Congress Avenue, Suite 100,
 Boca Raton, FL 33487-2853
 15139818 +Orion, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15139532 +Target, Attn: Bankruptcy, Po Box 9475, Minneapolis, MN 55440-9475
 15139533 +Target, Po Box 673, Minneapolis, MN 55440-0673
 15139534 +Trac/CBCD/Citicorp, Citicorp Credit/Centralized Bankruptcy, Po Box 20507,
 Kansas City, MO 64195-0507
 15139535 +Trident Asset Management, Attn: Bankruptcy, Po Box 888424, Atlanta, GA 30356-0424

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Nov 22 2019 03:48:26
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15139499 +E-mail/Text: ally@ebn.phinsolutions.com Nov 22 2019 03:33:43 Ally Financial,
 Attn: Bankruptcy Dept, Po Box 380901, Bloomington, MN 55438-0901
 15139501 +E-mail/Text: bkmailbayview@bayviewloansservicing.com Nov 22 2019 03:34:51
 Bayview Financial Loan, Attn: Bankruptcy Dept, 4425 Ponce De Leon Blvd. 5th Floor,
 Coral Gables, FL 33146-1873
 15139502 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Nov 22 2019 03:36:56 Capital One,
 Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 15155766 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Nov 22 2019 03:36:55
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,
 Charlotte, NC 28272-1083
 15139503 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Nov 22 2019 03:36:56 Capital One/Menards,
 Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 15139508 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Nov 22 2019 03:34:00 Comenity Bank/Express,
 Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
 15139509 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Nov 22 2019 03:34:00 Comenity Bank/Lane Bryant,
 Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
 15139510 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Nov 22 2019 03:34:00 Comenity Bank/Torrid,
 Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
 15139511 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Nov 22 2019 03:34:00
 Comenity Bank/Victoria Secret, Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
 15139513 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Nov 22 2019 03:34:01 ComenityCapital/Bosco,
 Attn: Bankruptcy Dept, Po Box 182125, Columbus, OH 43218-2125
 15139512 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Nov 22 2019 03:34:01 Comenitycapital/Big Lot,
 Attn: Bankruptcy Dept, Po Box 182125, Columbus, OH 43218-2125
 15139514 +E-mail/Text: bdsupport@creditmanagementcompany.com Nov 22 2019 03:34:48
 Credit Management Company, Attn: Bankruptcy, 2121 Noblestown Road,
 Pittsburgh, PA 15205-3956
 15139517 E-mail/Text: mrdiscen@discover.com Nov 22 2019 03:33:44 Discover Financial,
 Attn: Bankruptcy Department, Po Box 15316, Wilmington, DE 19850
 15139515 +E-mail/Text: electronicbkydocs@nelnet.net Nov 22 2019 03:34:33
 Department of Education/Nelnet, Attn: Claims, Po Box 82505, Lincoln, NE 68501-2505
 15141922 E-mail/Text: mrdiscen@discover.com Nov 22 2019 03:33:44 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 15139519 +E-mail/Text: key_bankruptcy_ebnc@keybank.com Nov 22 2019 03:34:37 KeyBank,
 3198 Belmont Avenue, Youngstown, OH 44505-1887
 15139520 +E-mail/Text: bncnotices@becket-lee.com Nov 22 2019 03:33:50 Kohls/Capital One,
 Attn: Credit Administrator, Po Box 3043, Milwaukee, WI 53201-3043
 15153563 E-mail/PDF: cbp@onemainfinancial.com Nov 22 2019 03:37:22 ONEMAIN, PO BOX 3251,
 EVANSVILLE, IN. 47731-3251
 15139521 +E-mail/PDF: cbp@onemainfinancial.com Nov 22 2019 03:37:30 OneMain Financial,
 Attn: Bankruptcy, Po Box 3251, Evansville, IN 47731-3251
 15139522 +E-mail/Text: pennstarfcu@neohio.twcbb.com Nov 22 2019 03:34:53 Pennstar Fcu,
 3735 E State St, Hermitage, PA 16148-3410
 15139523 +E-mail/PDF: gecsedirecoverycorp.com Nov 22 2019 03:36:49 Synchrony Bank,
 Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
 15139524 +E-mail/PDF: gecsedirecoverycorp.com Nov 22 2019 03:36:21 Synchrony Bank/ Money Sport,
 Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060

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Total Noticed: 46

Date Rcvd: Nov 21, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

15139525 +E-mail/PDF: gecsedirecoverycorp.com Nov 22 2019 03:36:48 Synchrony Bank/Amazon,
Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15139526 +E-mail/PDF: gecsedirecoverycorp.com Nov 22 2019 03:36:21 Synchrony Bank/American Eagle,
Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
15139527 +E-mail/PDF: gecsedirecoverycorp.com Nov 22 2019 03:36:49 Synchrony Bank/Care Credit,
Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
15139528 +E-mail/PDF: gecsedirecoverycorp.com Nov 22 2019 03:36:22 Synchrony Bank/Lowes,
Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15139529 +E-mail/PDF: gecsedirecoverycorp.com Nov 22 2019 03:36:21 Synchrony Bank/Sams,
Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15139530 +E-mail/PDF: gecsedirecoverycorp.com Nov 22 2019 03:36:22 Synchrony Bank/TJX,
Po Box 965015, Orlando, FL 32896-5015
15139531 +E-mail/PDF: gecsedirecoverycorp.com Nov 22 2019 03:37:24 Synchrony Bank/Walmart,
Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15139536 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Nov 22 2019 03:36:56
World's Foremost Bank, Attn: Bankruptcy, 4800 Nw 1st St, Lincoln, NE 68521-4463
TOTAL: 31

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Bayview Loan Servicing, LLC, A Delaware Limited Li
15139537* +Ally Financial, Attn: Bankruptcy Dept, Po Box 380901, Bloomington, MN 55438-0901
15139538* +Barclays Bank Delaware, Attn: Correspondence, Po Box 8801, Wilmington, DE 19899-8801
15139539* +Bayview Financial Loan, Attn: Bankruptcy Dept, 4425 Ponce De Leon Blvd. 5th Floor,
Coral Gables, FL 33146-1873
15139540* +Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15139541* +Capital One/Menards, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15139542* +Chase Card Services, Attn: Bankruptcy, Po Box 15298, Wilmington, DE 19850-5298
15139543* Citibank North America, Citibank SD MC 425, 5800 South Corp Place, Sioux Falls, SD 57108
15139544* +Citibank/Best Buy, Attn: Bankruptcy, Po Box 790441, St. Louis, MO 63179-0441
15139545* +Citibank/The Home Depot, Attn: Recovery/Centralized Bankruptcy, Po Box 790034,
St Louis, MO 63179-0034
15139546* +Comenity Bank/Express, Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
15139547* +Comenity Bank/Lane Bryant, Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
15139548* +Comenity Bank/Torrid, Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
15139549* +Comenity Bank/Victoria Secret, Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
15139551* +ComenityCapital/Bosco, Attn: Bankruptcy Dept, Po Box 182125, Columbus, OH 43218-2125
15139550* +ComenityCapital/Big Lot, Attn: Bankruptcy Dept, Po Box 182125, Columbus, OH 43218-2125
15139552* +Credit Management Company, Attn: Bankruptcy, 2121 Noblestown Road,
Pittsburgh, PA 15205-3956
15139555* +DISCOVER FINANCIAL SERVICES LLC, PO BOX 3025, NEW ALBANY OH 43054-3025
(address filed with court: Discover Financial, Attn: Bankruptcy Department, Po Box 15316,
Wilmington, DE 19850)
15139553* +Department of Education/Nelnet, Attn: Claims, Po Box 82505, Lincoln, NE 68501-2505
15139554* +Department Store National Bank/Macy's, Attn: Bankruptcy, 9111 Duke Boulevard,
Mason, OH 45040-8999
15139556* +EdFinancial Services, Attn: Bankruptcy, Po Box 36008, Knoxville, TN 37930-6008
15139557* +KeyBank, 3198 Belmont Avenue, Youngstown, OH 44505-1887
15139558* +Kohls/Capital One, Attn: Credit Administrator, Po Box 3043, Milwaukee, WI 53201-3043
15139559* +OneMain Financial, Attn: Bankruptcy, Po Box 3251, Evansville, IN 47731-3251
15139560* +Pennstar Fcu, 3735 E State St, Hermitage, PA 16148-3410
15139561* +Synchrony Bank, Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
15139562* +Synchrony Bank/ Money Sport, Attn: Bankruptcy Dept, Po Box 965060,
Orlando, FL 32896-5060
15139563* +Synchrony Bank/Amazon, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15139564* +Synchrony Bank/American Eagle, Attn: Bankruptcy Dept, Po Box 965060,
Orlando, FL 32896-5060
15139565* +Synchrony Bank/Care Credit, Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
15139566* +Synchrony Bank/Lowes, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15139567* +Synchrony Bank/Sams, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15139568* +Synchrony Bank/TJX, Po Box 965015, Orlando, FL 32896-5015
15139569* +Synchrony Bank/Walmart, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15139570* +Target, Attn: Bankruptcy, Po Box 9475, Minneapolis, MN 55440-9475
15139571* +Target, Po Box 673, Minneapolis, MN 55440-0673
15139572* +Trac/CBCD/Citicorp, Citicorp Credit/Centralized Bankruptcy, Po Box 20507,
Kansas City, MO 64195-0507
15139573* +Trident Asset Management, Attn: Bankruptcy, Po Box 888424, Atlanta, GA 30356-0424
15139574* +World's Foremost Bank, Attn: Bankruptcy, 4800 Nw 1st St, Lincoln, NE 68521-4463

TOTALS: 1, * 38, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0315-1

User: vson
Form ID: 149

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Total Noticed: 46

Date Rcvd: Nov 21, 2019

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 23, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 21, 2019 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Bayview Loan Servicing, LLC, A Delaware Limited
Liability Company bkgroup@kmlawgroup.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Rebeka Seelinger on behalf of Joint Debtor Janet S. Porterfield rebeka@seelingerlaw.com
Rebeka Seelinger on behalf of Debtor Howard L. Porterfield, Jr. rebeka@seelingerlaw.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 5